

Main Display

Back to Search

Exit database

Highlighted Table

Text of Proposition

Arguments

Full Text

Record: 556

Proposition 7

#

Title **CHIROPRACTORS**

Year **1960**

Proposition type initiative (LIA) Leg Proposed Amendment to Act.

Popular vote Yes: 2,834,810 (56.3%); No: 2,197,462 (43.7%)

Pass/Fail Pass

Summary

Permits two, rather than one, board members from same **chiropractic** school or college to be members of board at same time, Provides that Legislature may fix fees of applicants and licensees and per diem compensation payable to board members.

Analysis

Analysis by the Legislative Counsel

This measure submits to the voters for approval or rejection amendments made by Chapter 1768 of the Statutes of 1959 to the **Chiropractic** Initiative Act of 1922. That act provides for the organization of the State Board of **Chiropractic** Examiners and for educational and licensing requirements for the practice of **chiropractic** in this State.

This measure would authorize two persons whose first diplomas were issued by the same school or college of **chiropractic** to serve simultaneously on the State Board of **Chiropractic** Examiners. Only one such person may now serve on the board at a time.

It would also authorize the Legislature to fix the amount of the fees payable by applicants for a chiropractor's license and by licensees, and to fix the amount of per diem compensation payable to the members of the board. These amounts are now specifically prescribed in the initiative[sic] as follows: applicant's fee, \$25.00; licensee's renewal fee, from \$2.00 to \$10.00; and board member's per diem compensation, \$10.00 per day.

For

Argument in Favor of Amendment of Chiropractic Initiative Act

This measure would amend the **Chiropractic** Initiative Act as follows: (1) Provide that not more than two persons, rather than no two persons, whose first diplomas were issued by the same school or college of **chiropractic** may serve simultaneously on the State Board of **Chiropractic** Examiners; (2) Authorize the Legislature to establish the amount of the per diem compensation payable to members of the board for time spent in the performance of their official duties and the

amount of the fees to be paid by applicants for **chiropractic** licenses and persons holding such licenses.

The purpose of the first amendment is to broaden the Governor's range of selection in appointing members of the board. In view of the relatively small number of approved **chiropractic** schools now in existence, the present strict limitation may give rise to difficulties in finding a sufficient number of persons qualified for board membership.

The second amendment would permit the Legislature to fix the compensation for service on this board in the same manner and at the same uniform rate as is the case with other boards in the Department of Professional and Vocational Standards which perform similar licensing functions. It would also permit the Legislature to provide operating revenues for the board in the same manner as it does for other licensing boards and thus meet what is likely to be a critical need for additional revenues for this board in the near future.

Argument in Favor of Amendment of Chiropractic Initiative Act

This measure will accomplish two desirable objectives in the interests of governmental efficiency. First, it will permit two persons whose first diplomas were issued by the same school of **chiropractic** to serve simultaneously on the State Board of **Chiropractic** Examiners. At present, only one person from any such school may serve on this Board. Due to the limited number of **chiropractic** schools, it has become increasingly difficult to select five persons, each from a different school, who are willing and able to serve on the Board. This measure would ease the problem by permitting a wider selection of persons who could qualify for appointment, while still not permitting any one school to gain a majority representation on the Board.

Second, the measure authorizes the Legislature to fix the amount of the fees payable by licensees and applicants for licenses, and also the amount of per diem compensation payable to members of the Board. Presently these amounts are specifically fixed by the existing **Chiropractic** Act and the Legislature has no power to revise them to meet changing conditions. By vesting the Legislature with power to fix these amounts, this measure would simply give the Legislature the identical authority it now possesses in regard to the license fees and per diem payable to other State boards. Under this measure, the Legislature could set such amounts in accordance with changes occurring in the costs of administering the functions of the Board, as it already does with other licensing agencies.

FOR(au) Swift Berry |t State Senator

FOR(au) Fred S. Farr |t State Senator, Monterey County

Against

Argument Against Amendment of Chiropractic Initiative Act

If two graduates of the same **chiropractic** institute were permitted to serve on the State Board of **Chiropractic** Examiners, the fact that they both attended the same institution would present a great possibility of one influencing the other's judgment. This in turn would tend to unify the decision of the two and thus be in contrast of the very reason they have a Board of Examiners rather than one person. This unity would have a great influence on the decision of the Board and the possibility of a wrong decision being made would be greatly increased. The degree of increase would be greater than if you were to remove one man from the Board. It is with this reasoning that I urge you to veto this proposition. Vote No!

Against(au) Robert L. Fegel |t 7425 Kengard St. Whittier, California Insurance Agent

**Text of
Prop.**

(This proposed law expressly amends an existing law and adds new provisions to the law; therefore **EXISTING PROVISIONS** proposed to be **DELETED** are printed in ~~STRIKEOUT~~

~~TYPE; and NEW PROVISIONS proposed to be ADDED are printed in BLACK-FACED [BOLD] TYPE.)~~

PROPOSED LAW

An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of **chiropractic**, creating the State Board of **Chiropractic** Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Section 1 thereof and adding Section 12.5 thereto, relating to practice of **chiropractic**, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

The people of the State of California do enact as follows:

Section 1. Section 1 of the act cited in the title is amended to read:

Section 1. A board is hereby created to be known as the "State Board of **Chiropractic** Examiners." hereinafter referred to as the board, which shall consist of five members, citizens of the State of California, appointed by the Governor. Each member must have pursued a resident course in a regularly incorporated **chiropractic** school or college, and must be a graduate thereof and hold a diploma therefrom.

Each member of the board first appointed hereupon shall have practiced **chiropractic** in the State of California for a period of three years next preceding the date upon which this act takes effect, thereafter appointees shall be licentiates hereunder. ~~No~~ Not more than two persons shall serve simultaneously as members of said board, whose first diplomas were issued by the same school or college of **chiropractic**, nor shall more than two members be residents of any one county of the State. And no person connected with any **chiropractic** school or college shall be eligible to appointment as a member of the board. Each member of the board, except the secretary, shall receive a per diem of ten dollars (\$10) for each day during which he is actually engaged in the discharge of his duties, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, such per diem traveling expenses and other incidental expenses of the board or of its members to be paid out of the funds of the board hereinafter defined and not from the State's taxes.

Sec. 2. Section 12.5 is added to said act, to read:

Sec. 12.5. The Legislature may by law fix the amounts of the fees payable by applicants and licensees and the amount of the per diem compensation payable to members of the board.

Sec. 3. Sections 1 and 2 of this act shall be submitted to the electors for their approval or rejection at the next succeeding general election occurring at any time subsequent to 130 days after this section takes effect, or at any state-wide special election which may be called by the Governor, in his discretion, prior to such general election, in the same manner that a constitutional amendment proposed by the Legislature would be submitted, and all of the provisions of law relative to submission of such constitutional amendments to the electors and to matters incidental thereto shall apply to the submission of Sections 1 and 2 of this act, except as otherwise provided in this section or as such provisions may be clearly inapplicable for the submission of an amendment to an initiative measure pursuant to Section 1b of Article IV of the State Constitution.

CODE

Amended "An Act Creating the State Board of Chiropractic Examiners" section 1, Added "An Act Creating the State Board of Chiropractic Examiners" section 12.5